

REMARKS

Please reconsider the application in view of the above amendments and the following remarks. Applicant thanks the Examiner for carefully considering this application. Applicant also thanks the Examiner for indicating in the first office action on the merits that the IDS filed January 4, 2002, has been considered. Applicant respectfully requests that a copy of the initialed PTO Form-1449 from that IDS be returned.

Disposition of Claims

Claims 1-5, 9-10, 12-15, 19-25, 29-33, 37, and 39-48 have been canceled in this reply without prejudice or disclaimer.

Claims 23 and 38 have been amended to clarify that the receiver/decoder is a receiver/decoder of broadcast signals, an email application is run on the receiver/decoder, and the receiver/decoder displays by means of the email application an email received in a broadcast signal at said receiver/decoder. Claims 6 and 16 have been amended to depend from claim 23. Claims 26 and 34 have been amended to depend from claim 38. Claims 7 and 27 have been amended to correct a minor typographical error.

New claims 49-54 have been added by this reply. New claims 49 and 52 recite that the broadcast is via cable or optical fiber. Support for these claims can be found in the original specification, for example, on page 17, lines 12-16. New claims 50 and 53

recite that the email is sent without any prompt. Support for these claims can be found in the original specification, for example, on page 5, lines 7-12. New claims 51 and 54 recite that the receiver/decoder send requests to the mail center for broadcast notification of waiting emails. Support for these claims can be found in the original specification, for example, on page 17, lines 1-3. No new matter has been added.

Thus, claims 6-8, 16-18, 23, 26-28, 34-36, 38 and 49-54 are now pending in this application. Claims 23 and 38 are independent. The remaining claims depend, directly or indirectly, from claims 23 and 38.

Rejections under 35 U.S.C. §103

Claims 1-2, 12-13, 16-20, 22-30, and 34-48 stand rejected under 35 U.S.C. §103(a) as being unpatentable over Japanese Patent 10-210072 A (hereinafter “Oi”) in view of U.S. Patent No. 6,335,963 (hereinafter “Bosco”). As discussed above, claims 1-2, 12-13, 19-20, 22, 24-25, 29-30, 37, and 39-48 have been canceled without prejudice or disclaimer in this reply. Thus, this rejection is now moot with respect to these claims. With respect to amended claims 23 and 38, and all claims that depend therefrom, to the extent that this rejection may still apply, the rejection is respectfully traversed.

As stated above, claims 23 and 38 have been amended in this reply to recite that the receiver/decoder is a receiver/decoder of broadcast signals, an email application is run on the receiver/decoder, and the receiver/decoder displays by means of the email application an email received in a broadcast signal at said receiver/decoder. Thus, the

entire text of an email received at the mail center is broadcast to the receiver/decoder and the *entire text* of the email is displayed at the receiver/decoder by means of the email application thereon.

To the contrary, Oi discloses an e-mail notification system, which uses discrimination data and mail reception data. The mail reception data is simply an “arrival-of-mail” message for incoming e-mail and the discrimination data merely allows the incoming e-mail to be properly addressed. Such display of a specific message or icon, together with identifying information, on a broadcast is well known.

For example, the display of a broadcaster identity, such as by displaying a logo on a channel’s programs, is common in television broadcasts. Further, in the case of interactive programs proposing remote services, for example, video on demand, a return path is provided so that the receiver of the programs can send back signals to a service operator, who cooperates with the broadcaster to produce the interactive programs to be sent. This operator must be identified in the received messages so that the receiver can address him, either in a visible way on screen (for example, via a telephone number, a mail address, or an internet website) or by means of control information invisible to the receiver user.

In such cases, and in the system disclosed by Oi, an appropriate notification message together with “objective” information such as the identity of the sender or the sending date is sent. This type of information is typical to broadcast messages. In contrast, the inclusion of “subjective” information, such as the content of an email message as now required by amended claims 23 and 38, is neither suggested, nor even

contemplated, by such systems. In the claimed invention, a receiver/decoder of broadcast signals runs an email application that displays an email received in a broadcast signal at the receiver/decoder. Oi fails to teach at least these limitations of amended claims 23 and 38.

Additionally, Bosco fails to teach all of the limitations of amended claims 23 or 38, or supply that which Oi lacks. Bosco teaches an email notification system using a telephone, voicemail, or pager. Bosco is completely silent to using a broadcast signal. Instead, the communication in Bosco relies on unicast, or possibly multicast, techniques. As those skilled in the art will appreciate, unicast and multicast transmissions are completely different from broadcast transmissions.

Broadcasting involves very particular constraints, notably concerning volume of content. This is due to broadcasting involving broad transmission of messages to numerous users. Unicast and multicast techniques therefor do not lend themselves to broadcast transmissions because of the large and uncontrollable bandwidth required. Bosco teaches sending only a simple notification message (for example stating “You have an e-mail message”), or alternatively, some or all of the identifying information about the e-mail message, or some or all of text of the e-mail even in the unicast and multicast transmissions. Moreover, Bosco teaches that “the user can select different options regarding the information provided in the notification or alert consistent with the capabilities of the user’s communication equipment.” (emphasis added)

In the claimed invention, a receiver/decoder of broadcast signals is required. Therefore, in view of Bosco’s teachings, only a simple notification message would be

sent given that such a notification or alert is consistent with the capabilities of the user's communication equipment. Also, as previously stated, broadcast signals require large and uncontrollable bandwidth. Thus, in view of the teachings of Bosco, one skilled in the art would have tried to minimize the quantity of information necessary in a broadcasting mode for pass-band reasons. Thus, Bosco not only fails to teach the limitations of amended claims 23 and 38, but also, teaches away from the invention recited therein.

In view of the above, Oi and Bosco, whether considered separately or in combination fail to show or suggest all of the limitations of amended claims 23 or 38. Thus, claims 23 and 38 are patentable over Oi and Bosco for at least the above reasons. Dependent claims are patentable for at least the same reasons. Accordingly, withdrawal of this rejection is respectfully requested.

Claims 14-15 and 32-33 stand rejected under 35 U.S.C. §103(a) as being unpatentable over Oi in view of Bosco, and further in view of U.S. Patent No. 6,212,265 (hereinafter "Duphorne"). Claims 14-15 and 32-33 have been canceled in this reply without prejudice or disclaimer. Thus, this rejection is now moot. Accordingly, withdrawal of this rejection is respectfully requested.

Conclusion

Applicant believes this reply is fully responsive to all outstanding issues and places this application in condition for allowance. The amendments made in this reply are not believed to raise new issues that would require further search, and simplify issues

for appeal. Thus, entry and full consideration of the amendments is respectfully requested. If any issues still exist, or new issues arise, the Examiner is encouraged to contact the undersigned or his associates at the telephone number listed below. Please apply any charges not covered, or any credits, to Deposit Account 50-0591 (Reference Number 11345/046001).

Respectfully submitted,

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